

STAFF REPORT

Meeting Date: December 4, 2002

Consent

LAFCO CASE

NAME AND NO.: LAFCO 02-18 – City of Fillmore Reorganization – Fillmore Pacific River Oak

PURPOSE: Reorganization of the City of Fillmore to annex a parcel of approximately 9.16 acres, and detach the parcel from the Ventura County Fire Protection District and Ventura County Resource Conservation District to accommodate residential development.

PROPONENT: City of Fillmore by Resolution.

SIZE: Approximately 9.16 acres

LOCATION: The site is located approximately 500 feet southeast of the intersection of “C” Street and River Street, at the westerly terminus of Santa Fe Street and Burlington Street. The proposal area is located within the City of Fillmore’s Sphere of Influence and Area of Interest.

ASSESSOR’S

PARCEL NO.: 052-0-200-050

NOTICE: This matter has been noticed as prescribed by law.

RECOMMENDATIONS:

Adopt the attached resolution (LAFCO 02-18) making determinations and approving City of Fillmore Reorganization – Fillmore Pacific River Oak

COMMISSIONERS AND STAFF

COUNTY

Steve Bennett, Chair
Kathy Long
Alternate:
Judy Mikels

CITY

Vacant
John Zaragoza
Alternate:
Evaristo Barajas

SPECIAL DISTRICT

Jack Curtis
John Rush
Alternate:
Dick Richardson

PUBLIC

Louis Cunningham,
Vice Chair
Alternate:
Kenneth M. Hess

EXECUTIVE OFFICER

Everett Millais

PLANNER III

Hollee Brunsky

CLERK

Debbie Schubert

LEGAL COUNSEL

Noel Klebaum

GENERAL ANALYSIS:

1 Land Use:

A. Site Information:

	Land Use	Zone District Classification	General Plan Designation
Existing	Agriculture - Orchard	County: A-E; Agriculture Exclusive	County: Agriculture/ Urban Reserve Overlay
Proposed	Entire Project (11.6 acres): 71 residential units; 43 SF units, 11 duplexes (22 units) and two triplexes (6 units)	City: RM; Residential Medium	City: Residential

B. Surrounding Land Uses and Zoning and General Plan Designations

	Land Use	Zone District Classification	General Plan Designation
North	Residential	City: RM	City: Residential
South	Wastewater Treatment Plant	City: Public	City: Public Facilities
East	Residential	City: RM	City: Residential
West	Self-Storage Facility	City: M-I; Manufacturing/Industrial	City: Manufacturing

C. Topography, Natural Features and Drainage:

The site is relatively flat and has been historically used for agriculture and has been tilled and graded over many years. . The site will be graded with 2 – 5 percent slopes to accommodate development and drainage.

D. Conformity with Plans:

The overall project is approximately eleven acres. Two acres are within City boundaries and the remaining nine, the proposed reorganization, are within the County of Ventura's unincorporated area. The proposal area is within the City of Fillmore's sphere of influence. The site is within the SOAR and CURB boundaries for the City of Fillmore. The proposal area constitutes an island of unincorporated territory. The County has a General Plan designation of Agricultural with an Urban Reserve Overlay for the proposal area as it has been designated for future urban use. The proposed development conforms to the City's pre-zoning and General Plan designation for residential development.

2. Impact on Prime Agricultural Land, Open Space and Agriculture:

The proposal area is being used as agriculture for an orchard of citrus trees. The proposal area is shown as "Prime" and of "Statewide Importance Farmlands" on the Important Farmlands Inventory (IFI) map and the soils on site are Class I and Class II soils. The proposal area is considered to be prime agricultural land as defined in Government Code Section 56064.

The site is not under a Williamson Land Conservation Act contract.

There were no mitigation measures proposed for the loss of nine acres of agriculture as the acreage was below the City's threshold of significance for loss of agriculture (40 acres).

There were no comments from the County of Ventura Office of the Agricultural Commissioner.

The proposal area is surrounded by urbanized development and the boundaries of the City of Fillmore. The proposal area is considered an "unincorporated island of territory" within the City of Fillmore. There are no adjacent parcels used for agriculture.

The site is included in the City of Fillmore's General Plan for Residential-Medium, and the city approved a Tentative Tract Map for 71 residential units.

3. Population:

There are no residences located in the proposal area. As there are less than 12 registered voters for the proposal area, the site is considered uninhabited.

4. Services and Controls – Need, Cost, Adequacy and Availability:

City Services

Upon annexation the City has represented that the full range of City services, including water, sewer disposal, drainage, law enforcement, fire protection, street lighting, and recreation and parks, will be provided. The proposed development will require connection to the City's sanitary sewer and water systems. Utility improvements can be extended from existing sewer and water pipelines within the vicinity of the proposal area. The developer will finance any necessary connections to utilities. Sanitary sewer and water services will be paid for by connection charges and residential user fees.

Schools

The proposal area is within the Fillmore Unified School District which is only at eighty percent total capacity. The School District will be able to accommodate additional students from the proposal area. Additionally, the developer will be required to pay impact fees as required by state law to the School District.

5. Boundaries and Lines of Assessment:

The boundaries are definite and certain. There are no conflicts with lines of assessment or ownership.

A map sufficient for filing with the State Board of Equalization has been received from the proponent.

6. Assessed Value, Tax Rates and Indebtedness:

The proposal is presently within tax rate area 62004 (\$1.135123). Upon completion of this annexation the area will be assigned to a new tax rate area 01001 (\$1.135123).

The total assessed value for APN 052-0-200-050 per the 2002-2003 tax roll is \$745,926.

7. Environmental Impact of the Proposal:

The City of Fillmore is the lead agency for this proposal. The City prepared and certified a Mitigated Negative Declaration pursuant to Section 15070 of the State CEQA Guidelines. The MND proposes mitigation measures in the following areas to lessen any environmental impacts so that they can be considered less than significant:

- *Aesthetics* – Visual character, night-time glare
- *Air Quality* – Short and Long term impacts due to construction and vehicles
- *Biological Resources* – Sensitive Habitat
- *Cultural Resources* – Potential archeological resources
- *Geology and Soils* – Soil erosion, liquefaction, potential for seismic ground shaking
- *Water Quality* - Change in drainage patterns; storm water runoff, 100-year floodplain, and pollution
- *Recreation* – Impacts to parks and recreational facilities
- *Utilities* – Impacts to drainage facilities and solid waste disposal

The MND was made available for review at the Ventura LAFCO office and is also made available at the LAFCO meeting for review.

8. Regional Housing Needs

The City of Fillmore does not have a State approved Housing Element. The reorganization will result in 71 new dwelling units. Of the 71 units, 43 will be single-family, and 28 will be multi-family. Three of the units will be restricted to persons of moderate income, and 28 of the units will have a density higher than average and, according to the City, will tend to be at an affordable market rate. The approved subdivision is consistent with housing and population projections set forth in the SCAG Regional Comprehensive Plan and Guide and SCAG demographic projections for the City of Fillmore. The City has indicated that the development will assist the City in achieving its fair share of the regional housing needs of the County.

9. Landowner and Annexing Agency Consent:

The applicant certifies that the owners involved in this proposal have given their written consent. The Ventura County Resource Conservation District and the Ventura County Fire Protection District have given their consent and have agreed to waive conducting authority proceedings.

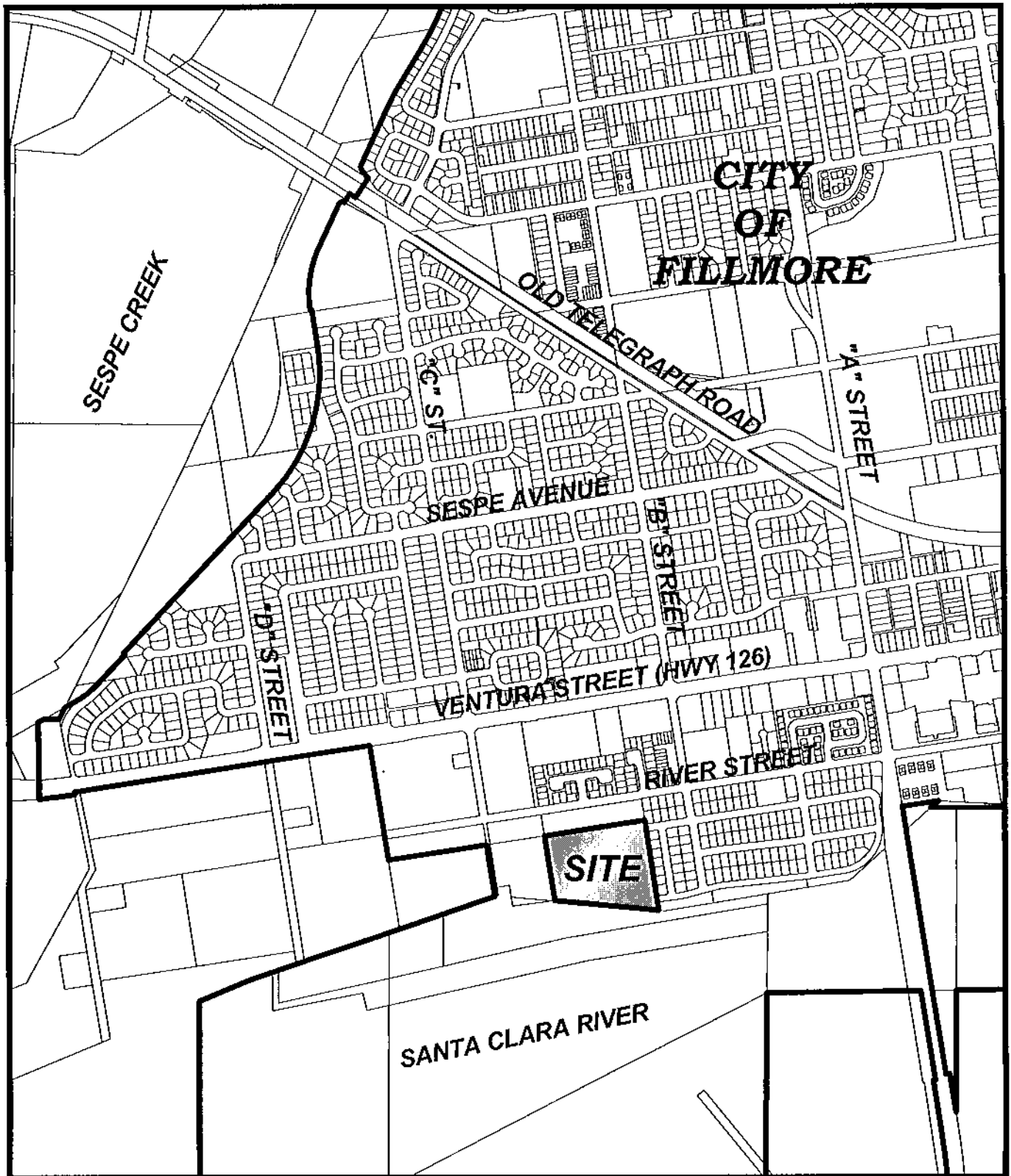
ALTERNATIVE ACTIONS AVAILABLE:

- A. If the Commission, following public testimony and the review of the materials submitted, determines that further information is necessary, a motion to continue one or both of the proposals should state specifically the type of information desired and specify a date certain for further consideration.
- B. If the Commission, following public testimony and review of materials submitted with this application wishes to deny or modify this application, a motion to deny should include adoption of this Report and all referenced materials as part of the public record.

STAFF: Hollee King Brunsky, AICP, Planner III

BY: _____
Everett Millais, Executive Officer

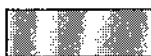
Attachments: (1) Vicinity Map
(2) LAFCO 02-18 Resolution



LEGEND



Existing City of Fillmore Boundary



Proposed Reorganization Area

LAFCO 02-18 VICINITY MAP

CITY OF FILLMORE REORGANIZATION
FILLMORE PACIFIC RIVER OAK
CITY OF FILLMORE ANNEXATION NO. 01-01
DETACHMENT FROM THE VENTURA COUNTY FIRE
PROTECTION DISTRICT; DETACHMENT FROM THE
VENTURA COUNTY RESOURCE CONSERVATION DISTRICT



1"= 1000'

LAFCO 02-18

**RESOLUTION OF THE VENTURA LOCAL AGENCY
FORMATION COMMISSION MAKING DETERMINATIONS
AND APPROVING THE CITY OF FILLMORE
REORGANIZATION – FILLMORE PACIFIC RIVER OAK;
ANNEXATION TO THE CITY OF FILLMORE;
DETACHMENT FROM THE VENTURA COUNTY
RESOURCE CONSERVATION DISTRICT; DETACHMENT
FROM THE VENTURA COUNTY FIRE PROTECTION
DISTRICT**

WHEREAS, the above-referenced proposal has been filed with the Executive Officer of the Ventura Local Agency Formation Commission pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000 (Section 56000 of the California Government Code); and

WHEREAS, at the times and in the manner required by law, the Executive Officer gave notice of the public hearing by the Commission on the proposal; and

WHEREAS, the proposal was duly considered on December 4, 2002, as specified in the notice of hearing; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony for and against the proposal including, but not limited to, the LAFCO Executive Officer's Staff Report and recommendation, the environmental document or determination, Sphere of Influence and applicable General and Specific Plans; and

WHEREAS, information satisfactory to this Commission has been presented that all the owners of land within the affected territory have given their written consent to the proposal; and

WHEREAS, information satisfactory to this Commission has been presented that all agencies having land detached within the affected territory have given their written consent for the proposal; and

WHEREAS, the Local Agency Formation Commission finds the proposal to be in the best interest of the affected area and the organization of local governmental agencies within Ventura County;

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Ventura Local Agency Formation Commission as follows:

- (1) The LAFCO Executive Officer's Staff Report and Recommendation for approval of the proposal dated December 4, 2002 is adopted.
- (2) Said Reorganization as set forth in Exhibit A and attached hereto is hereby approved as submitted.
- (3) Said territory is found to be uninhabited.
- (4) The subject proposal is assigned the following distinctive short form designation:

**LAFCO 02-18 - CITY OF FILLMORE REORGANIZATION
– FILLMORE PACIFIC RIVER OAK**

- (5) The boundaries of the affected territory are found to be definite and certain as approved and set forth in Exhibit A attached hereto and made a part hereof.
- (6) The Commission has reviewed and considered the information contained in the Mitigated Negative Declaration and adopts the lead agency's Mitigation Measures and makes a specific determination that the significant issues and proposed Mitigation Measures as adopted by the lead agency adequately address the project [Section 15070 et al].
- (7) The Commission directs staff to file a Notice of Determination in the same manner as a lead agency under Section 15075.
- (8) The Commission determines that the project is in compliance with Government Code Section 56741 as the territory to be annexed is located within one county and is contiguous with the city boundaries of Fillmore.

- (9) The Commission waives the conducting authority's further proceedings, since satisfactory proof has been given that the subject property is uninhabited, that all landowners within the affected territory have given their written consent to the proposal, and that all affected agencies that will gain or lose territory as a result of the proposal have consented in writing to the waiver of conducting authority proceedings. [Government Code Section 56663].

This resolution was adopted on December 4, 2002.

AYES:

NOES:

ABSTAINS:

Dated: _____
Chair, Ventura Local Agency Formation Commission

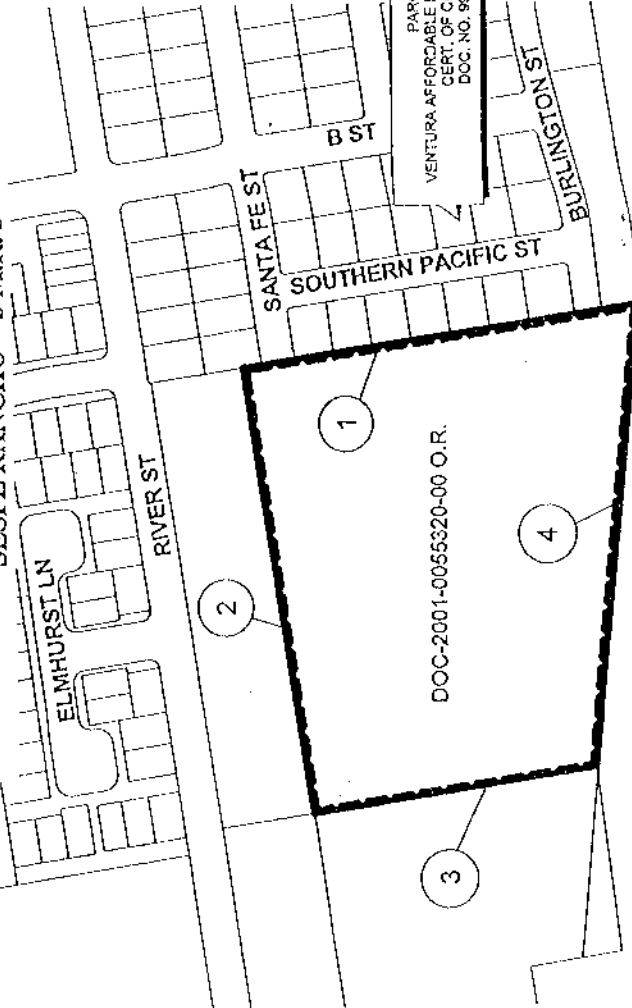
Attachment: Exhibit A

Copies: City of Fillmore, Clerk
Ventura County Fire Protection District
Ventura County Resource Conservation District
Ventura County Assessor
Ventura County Auditor
Ventura County Surveyor
Ventura County Planning

02-18

A PORTION OF FARM LOT 51, FILLMORE SUBDIVISION
SESPE RANCHO ~ 3 M.R. 5

PREPARED BY:
RAMSEYER & ASSOCIATES, INC
1881 KNOLL DRIVE
VENTURA, CA 93003
(805) 654-1088



PARCEL B
VENTURA AFFORDABLE HOMES REORGANIZATION
CERT. OF COMP. ~ 5/4/99
DOC. NO. 99-058819 O.R.

COURSES

- 1 - N 09°15'00" W 645.00'
- 2 - S 80°45'00" W 718.00'
- 3 - S 09°15'00" E 465.98'
- 4 - S 85°15'00" E 739.98'

9.16 ACRES

P.O.B. - THE SLY TERMINUS OF THE
3rd COURSE OF PCL B OF THE
VENTURA AFFORDABLE HOMES
REORGANIZATION

SANTA CLARA RIVER

EXISTING CITY OF FILLMORE BOUNDARY

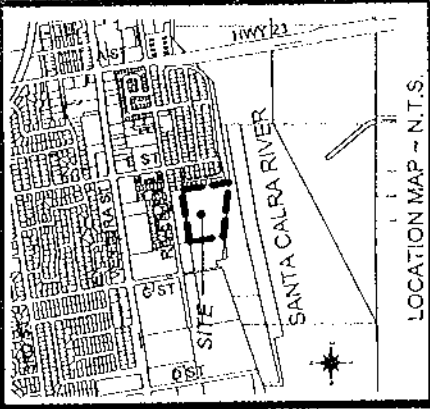
PROPOSED ANNEXATION BOUNDARY

CITY OF FILLMORE REORGANIZATION FILLMORE PACIFIC RIVER OAK

CITY OF FILLMORE ANNEXATION NO. 01-01
DETACHMENT FROM THE VENTURA COUNTY FIRE
PROTECTION DISTRICT; DETACHMENT FROM THE
VENTURA COUNTY RESOURCE CONSERVATION DISTRICT

APRIL 9, 2002

SHEET 1 OF 1



**CITY OF FILLMORE REORGANIZATION
FILLMORE PACIFIC RIVER OAK
CITY OF FILLMORE ANNEXATION NO. 01-01;
DETACHMENT FROM THE VENTURA COUNTY FIRE
PROTECTION DISTRICT; DETACHMENT FROM THE
VENTURA COUNTY RESOURCE CONSERVATION DISTRICT**

02-18

That portion of Farm Lot 51 of the Fillmore Subdivision of the Sespe Rancho, in the County of Ventura, State of California, as said Lot 51 is shown on the map recorded in the office of the County Recorder of said County in Book 3, Page 5 of Miscellaneous Records, described as follows:

Beginning at the southeasterly corner of the parcel described in the Grant Deed recorded on March 30, 2001 in the office of said County Recorder as Document No. 2001-0055320-00 of Official Records, said corner also being the southerly terminus of the 3rd course of Parcel B of the Ventura Affordable Homes Reorganization, Annexation No. 97-1 to the City of Fillmore, as described in the Certificate of Completion recorded on May 4, 1999 as Document No. 99-086819 of Official Records; thence, along the easterly line of said parcel described in said Grant Deed by the following course and along the existing City of Fillmore boundary by the following four courses:

- 1st - North 09°15'00" West 645.00 feet; thence,
- 2nd - South 80°45'00" West 718.00 feet; thence,
- 3rd - South 09°15'00" East 465.98 feet; thence,
- 4th - South 85°15'00" East 739.98 feet to the point of beginning and containing 9.16 acres.